

REMARKS

The art rejections remain respectfully traversed. The prior arguments are incorporated by reference and supplemented as follows. Again, because the references are complex, Applicants will only address the portions cited by the Examiner.

Claims 1 & 19

Claim 1 recites a user interface. The interface comprises a display screen having first and second regions. The first region displays a rating derived from a previously defined profile. The second region displays preferences settings which were used to derive the rating.

Against the first region, the Examiner cites col. 6, lines 3-56 of Lemmons. This text is associated with the flow chart of Fig. 2 of Lemmons. This flow chart allows a user to choose display criteria. This flow chart fails to teach or suggest displaying a rating derived from a from these display criteria. It is not clear from this flowchart how the results of the display criteria will be presented in a user interface at all. Accordingly, there is no teaching or suggestion of the claimed region of a display screen.

Against the second region, the Examiner cites col. 7, lines 23-53. This section refers to Figures 4 and 5. These figures do show user interfaces, but they are only user interfaces for gathering information from the user. This is the same information referred to Figure 2, namely choices of display criteria. Ratings derived from the display criteria are not displayed.

Accordingly, both portions of Lemmons pointed to by the Examiner relate to gathering display criteria. Neither section relates to display of a rating based on a profile. Ultimately, there may be a rating based on the criteria specified in accordance with Lemmon's figures 2, 4, and 5; BUT there is no teaching or suggestion that such a rating will be displayed together with the criteria used to form the rating.

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Moreover there is no teaching or suggestion that the portions of Lemmons cited by the Examiner relate to first and second regions of a display screen.

Accordingly, Applicants respectfully submit that Lemmons fails to teach or suggest the claimed first and second regions, contrary to the assertions of the Examiner.

The Examiner admits that Lemmons fails to teach or suggest changing preference settings if the rating derived by the profile is incorrect. For this assertion, he cites Herz, col. 13, lines 53-67. However, this section of Herz only relates to changing preference settings. The preference settings are not changed if the rating derived by a profile is incorrect. They are simply changed for good measure on the assumption that preferences will change over time. Accordingly, Herz fails to stand for the proposition that the Examiner cites it for.

Applicants therefore respectfully submit that the Examiner has failed to present a *prima facie* case against claim 1.

Claim 19 is analogous to claim 1 in these respects.

Claims 4 & 22

Claim 4 depends from claim 1 and recites a third region of the display screen. The third region displays a rating derived from a previously defined second profile.

Against this recitation, the Examiner cites column 9 of Lemmons. This section of Lemmons explains gathering further information from the user regarding display criteria. Some information is also gathered regarding display colors. As far as Applicants can tell from reading this text, it appears that ultimately the user interface that displays the ratings will be a list of programs with ratings and colors. There is no teaching or suggestion that that interface will have

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a display screen with three regions as claimed; much less 3 regions with first and second ratings and preference settings used to establish the first rating, respectively.

Accordingly, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case against claim 4.

Claim 22 is analogous to claim 4.

Claims 5 & 23

This claim depends from claim 4 and recites that the profile is an explicit-based preference profile and the second profile is an implicit-based preference profile.

Against this recitation, the Examiner cites column 10, lines 9-67 of Lemmons. This section allows for profiles from different users to be displayed simultaneously. Applicants are unable to find any teaching or suggestion that one of the profiles displayed would be implicit-based and another would be explicit-based. The multiply displayed profiles might perfectly well be all explicit-based or all implicit-based. What is different about them is that they relate to different users, not that they were derived according to different methods.

Claim 23 is analogous to claim 5.

Claims 6 & 24 & 30

This claim depends from claim 4 and recites a fourth region of the display screen. The fourth region displays preference settings in the second profile which were used to derive the rating.

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The Examiner fails to indicate what allegedly is the fourth region of the display screen in the reference. However since the rejections of the prior claims failed to teach or suggest three regions, *a fortiori* they fail to teach or suggest a fourth region.

Claim 24 is analogous to claim 6.

Claim 30 distinguishes over the references even more clearly than claim 6, because it clarifies that the first and second profile both relate to the same user, unlike the cited portion of the reference where the profiles relate to different users.

Claim 10

Claim 10 differs from the other independent claims in that it does not recite regions of a display screen. However, like claim 1, claim 10 recites displaying a rating derived from a previously defined preference profile, displaying preference settings in the profile which were used to derive the rating, and enabling the user to change at least one of the preference settings.

As explained before, Herz and Lemmons allow the user to change preference settings, but does not display a rating and preference settings from which the rating was derived.

Office action, page 5, paragraph 2

In the claim language, the term "rating" is explicitly limited to a rating derived from a profile (per independent claims 1, 10, & 19). Against this recitation of rating, in section 3 of the Office Action, the Examiner cites portions of Lemmons relating to ratings that do not come from a profile. Instead they come from the broadcaster and are based on standards of child-suitable content or types of programming. This type of rating fails to teach or suggest a rating as defined in the claims.

REMARKSOffice Action page 6, paragraph 1

In this paragraph, the Examiner cites first and second regions in Lemmons, but as explained before, Lemmons fails to teach or suggest a display screen with first and second regions. In the second sentence of this paragraph, the Examiner appears to admit that the claim is not taught or suggested by the references and concludes without support in the reference that it is obvious. The conclusion lacks support, because the reference — at least as cited by the Examiner — fails to teach or suggest the proposition for which the Examiner cites it. The Examiner mentions, at the end of a paragraph, a functional advantage of a system as claimed. However this functional advantage is not taught or suggested by the references. It can only be derived from impermissible hindsight in view of Applicants' disclosure.

Page 6 of the office action, second paragraph

The portion of Herz cited here by the Examiner allows the user to change a rating; however, this does not teach or suggest allowing a user to change a preference setting used to derive the rating.

Page 7, second paragraph

The portion of Lemmons cited here by the Examiner relates to a third approach. A third *approach* fails to teach or suggest a third region of a display screen. The third approach is an alternative. Three regions of a display screen are displayed simultaneously.

Even if this section of Lemmons may hypothetically be interpreted as allowing the user to change preference settings — however of there is no display of a rating derived from those

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preference settings on the screen at the time the preference settings are being changed.

Accordingly, this section of Lemmons fails to teach or suggest the claimed invention.

Bottom of page 7 through page 8

As discussed above, these multiple profiles relate to different users. There is no teaching or suggestion in the text quoted by the Examiner that one profile it is explicit –based and another implicit-based.

Section six of the office action

Applicants respectfully submit that the Examiner has out of date address information.

The Examiner's other rejections and/or points of argument not addressed would appear to be moot in view of the foregoing. Nevertheless, Applicants reserve the right to respond to those rejections and arguments and to advance additional arguments at a later date.

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Applicants respectfully submit that they have answered each issue raised by the Examiner and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

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